

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-16 are pending in this application. By this Amendment claims 1-16 are amended and no claims are cancelled. No new matter is added. Claims 1 and 13-16 are the independent claims. Example support for the amendments herein may be found at paragraphs [0028-0034] and Fig. 2 of Applicants' application.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O.

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner.

Rejections under 35 U.S.C. § 102

Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being unpatentable over Kato et al. (US Publication 2005/0019007, herein "Kato"). Applicants respectfully traverse this rejection for the reasons detailed below.

Amended claim 1 recites *inter alia*, "navigation segments including a first navigation segment and a second navigation segment representing different reproduction paths of a title." The Examiner relies on paragraphs [0027, 0031, 00184] and Figs. 9 and 15 of Kato, to disclose the above limitation. Paragraphs [0027, 0031] of Kato define a ClipMark and a PlayListMark. Specifically, the Clipmark is defined as "marks pointing to a characteristic picture extracted from an AV stream," while the PlayListMark is defined as "marks pointing to the picture optionally specified by the user." As further explained at paragraphs [0184, 0222-0223] and illustrated in Figs. 9 and 15 of Kato, the Clipmark "is provided for specifying a highlight or characteristic time

in the Clip" and the PlayListMark is "a bookmark point or a resuming point as set by the user." Restated, the ClipMark and PlayListMark are merely position indicators for a clip or playlist, respectively, and not navigation segments. Hence, the ClipMark and PlaylistMark only relate to positioning within a single reproduction path of a title, and not to representing different reproduction paths of a title. As such, Kato fails to teach or disclose "navigation segments including a first navigation segment and a second navigation segment representing different reproduction paths of a title," as recited in claim 1.

For at least the foregoing reasons, independent claim 1 is patentable. Amended independent claims 13 and 14 are at least somewhat similar to claim 1 and therefore patentable for at least somewhat similar reasons. Dependent claims 2-12 are patentable by virtue of their dependency on independent claim 1. Applicants therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 102(e) be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of Saski et al. (US Patent 7,050,384, herein Saski). Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Saski is combinable with Kato (which Applicants do not admit), Saski still fails to remedy the deficiencies of Kato with respect to independent claim 1. As claims 15 and 16 are at least somewhat similar to independent claim 1, claims 15 and 16 are patentable for at least somewhat similar reasons to claim 1. Applicants therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

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